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**Carter, DeLuca, Farrell  
& Schmidt LLP**

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<b>To:</b>	Examiner Gary Jackson Group Art Unit 3731	<b>From:</b>	Dana A. Brussel
<b>Fax:</b>	571-273-8300	<b>Date:</b>	March 27, 2006
<b>Phone:</b>	571-272-4697	<b>Pages:</b>	22 pages (incl. Cover)
<b>Re:</b>	U.S. Serial No. 10/755,427  2448 DIV CON VIII  (203-2626 DIV CON VIII)	<b>CC:</b>	

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please  
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**•Comments:**

Please see attached.

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Appl. No. 10/755,427  
Amtd. dated March 27, 2006  
Reply to Office Action mailed December 15, 2005

Atty. Docket: 2448 DIV CON VII  
(203-2626 DIV CON VIII)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANTS:** Bolduc et al.

**EXAMINER:** Gary Jackson

**SERIAL NO.:** 10/755,427

**GROUP UNIT:** 3731

**FILED:** January 12, 2004

**DATED:** March 27, 2006

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MAR 27 2006**

**FOR: SURGICAL HELICAL FASTENER WITH APPLICATOR**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION**

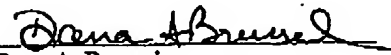
Sir:

Attached are copies of an Amendment, Terminal Disclaimer, Amendment Transmittal Form and postcard received and stamped by the U.S. Patent and Trademark Office on February 21, 2006. These documents were mailed to the U.S. Patent and Trademark Office on February 16, 2006, however, the Serial Number was incorrect due to a typographical error on the Amendment Transmittal Form, Amendment and postcard. The Terminal Disclaimer contained the correct serial number.

**CERTIFICATE FACSIMILE TRANSMISSION**

I hereby certify that this paper is being faxed on the date shown below to the Commissioner for Patents and Trademark, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 27, 2006

  
Dana A. Brussel

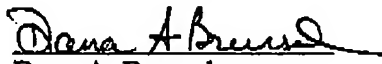
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Appl. No. 10/755,427  
Amdt. dated March 27, 2006  
Reply to Office Action mailed December 15, 2005

Attached please find a new Amendment Transmittal Form and Amendment wherein the serial number is correct. Since the attached documents are replacements for the previously submitted documents, it is respectfully submitted that no additional fees are due.

Respectfully submitted,

Carter, DeLuca, Farrell & Schmidt, LLP  
445 Broad Hollow Road - Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5713  
Fax: (631) 501-3526

  
Dana A. Brussel  
Reg. No. 45,717  
Attorney for Applicants

Send correspondence to:  
Chief Patent Counsel  
Tyco Healthcare Group  
195 McDermott Road  
North Haven, CT 06473

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PATENT

Attorney Docket: 2448 DIV CON VIII  
(203-2626 DIV CON VIII)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bolduc et al.

EXAMINER: Gary Jackson

SERIAL NO.: 10/755,427

ART UNIT: 3731

FILED: January 12, 2004

DATED: March 27, 2006

FOR: SURGICAL HELICAL FASTENER WITH APPLICATOR

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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MAR 27 2006

AMENDMENT TRANSMITTAL FORM

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	18 MINUS 20	= 0	X 25 \$	X 50 \$ 0.00	
INDEP.	1 MINUS 3	= 0	X 100 \$	X 200 \$ 0.00	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 180 \$	X 360 \$ 0.00	
			TOTAL	OR TOTAL \$ 0.00	
			ADDIT. FEE	\$ 0.00	

No additional fee is required.

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Amendment, Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on March 27, 2006

Dated: March 27, 2006

Dana A. Brussel  
 Dana A. Brussel

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- ☐ Please charge Deposit Account No. 21-0550 in the amount of \$ \_\_\_\_\_. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Dana A. Brussel  
Reg. No. 45,717  
Attorney for Applicants

Carter, DeLuca, Farrell & Schmidt, LLP  
445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

**Correspondence address:**

Chief Patent Counsel  
United States Surgical,  
a Division of Tyco Healthcare Group, LP  
195 McDermott Road  
North Haven, CT 06473

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PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Amendment Transmittal (in triplicate)
2. Amendment w/authorization to charge fees to deposit account
3. Terminal Disclaimer
4. Return postcard

All Submitted Under Certificate of Mailing Under  
37 C.F.R. §1.8(a) dated March 27, 2006

APPLICANTS: Bolduc et al.

EXAMINER: Gary Jackson

SERIAL NO.: 10/775,427

ART UNIT: 3731

FILED: January 12, 2004

FOR: SURGICAL HELICAL FASTENER WITH APPLICATOR

Docket: 203-2626 DIV CON8 (2448 DIV CON 8)

JML/mb

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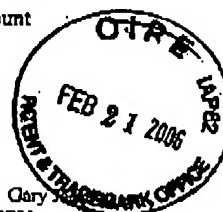
FILED: January 12, 2004

FOR: SURGICAL HELICAL FASTENER WITH APPLICATOR

Docket: 203-2626 DIV CON8 (2448 DIV CON 8)

JML/mb

EXAMINER: Gary  
ART UNIT: 3731



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**PATENT**

Attorney Docket: 2448 DIV CON VIII  
(203-2626 DIV CON VIII)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Bolduc et al.

EXAMINER: Gary Jackson

SERIAL NO.: 10/775,427

ART UNIT: 3731

FILED: January 12, 2004

DATED: February 16, 2006

FOR: SURGICAL HELICAL FASTENER WITH APPLICATOR

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□ FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 180 \$	X 360 \$ 0.00	
TOTAL			OR TOTAL \$ 0.00		
ADDIT. FEE			\$ 0.00		

No additional fee is required.

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Dated: February 16, 2006

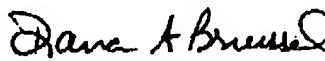
  
 Dana A. Brussel

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